

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 28TH MARCH 2007 / 7TH CHAITHRA 1929

Bail Appl..No. 1874 of 2007(J)

Crime No.78/07 of Kodanad Police Station

: PETITIONER/IST ACCUSED

JOLLY, S/O.PAPPACHAN,
AGED 26 YEARS,
THOPPILAN HOUSE, AIMURY,
KOOVAPPADY P.O.

BY ADV. SRI.RAJESH VIJAYAN
SRI.N.C.MOHANAN
SMT.REKHA C.NAIR

RESPONDENTS:

STATE OF KERALA,
REPRESENTED BY SUB INSPECTOR OF POLICE,
KODANAD.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 28/03/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V. RAMKUMAR, J.

.....
B.A. No. 1874 OF 2007
.....

Dated this the 28th day of March, 2007

O R D E R

Petitioner, who is the first accused in Crime No.78/07 of Kodanad Police Station for offences punishable under sections 143, 148, 363, 342, 323, 324 and 326 read with section 149 IPC, seeks anticipatory bail.

2. Learned Public Prosecutor opposed the application.

3. The case of the prosecution is that on account of the enmity which the first accused was nurturing against the defacto complainant, the first accused along with accused Nos.2 to 8 forcefully took the defacto complainant in a Maruti Omni Van and brutally attacked him from inside the Van causing injuries including fracture of his right hand.

4. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer for interrogation and then to have his application for regular bail considered by the Magistrate having jurisdiction. Accordingly, the petitioner is directed to surrender before the Investigating Officer on any day between 2.4.2007 and 4.4.2007 for the purpose of interrogation and recovery of incriminating materials, if any. The petitioner shall, thereafter, be produced on the same day

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before the concerned Magistrate, who shall consider and dispose of the application for regular bail, if any, filed by the petitioner. Such consideration and disposal shall preferably be on the same date on which the application is filed.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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